

## **EXHIBIT 16**

John Y. Bonds, III  
State Bar No. 02589100  
Clay M. Taylor  
State Bar No. 24033261  
Bryan C. Assink  
State Bar No. 24089009  
BONDS ELLIS EPPICH SCHAFFER JONES LLP  
420 Throckmorton Street, Suite 1000  
Fort Worth, Texas 76102  
(817) 405-6900 telephone  
(817) 405-6902 facsimile

Deborah Deitsch-Perez  
State Bar No. 24036072  
Michael P. Aigen  
State Bar No. 24012196  
STINSON LLP  
3102 Oak Lawn Avenue, Suite 777  
Dallas, Texas 75219  
(214) 560-2201 telephone  
(214) 560-2203 facsimile

ATTORNEYS FOR DEFENDANT JAMES DONDERO

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>In re:</b>	§	<b>Case No. 19-34054</b>
	§	
<b>HIGHLAND CAPITAL MANAGEMENT, L.P.</b>	§	<b>Chapter 11</b>
	§	
<b>Debtor.</b>	§	
<hr/>		
	§	
<b>HIGHLAND CAPITAL MANAGEMENT, L.P.,</b>	§	
	§	
<b>Plaintiff.</b>	§	
<b>v.</b>	§	<b>Adversary No. 21-03003-sgj</b>
	§	
<b>JAMES D. DONDERO,</b>	§	
	§	
<b>Defendant.</b>	§	

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**DEFENDANT JAMES DONDERO'S OBJECTIONS AND RESPONSES  
TO HIGHLAND CAPITAL MANAGEMENT, L.P.'S  
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

TO: Highland Capital Management, L.P., by and through its attorneys of record, Zachery Z. Annable, Hayward PLLC, 10501 N. Central Expy., Ste. 106, Dallas, Texas 75231.

Defendant James Dondero ("Defendant" or "Dondero") serves his Objections and Responses to Debtor Highland Capital Management, L.P.'s ("Debtor" or "Highland") Second Request for Production of Documents ("Requests"), as follows:

Dated: May 7, 2021

Respectfully submitted,

/s/Deborah Deitsch-Perez

John Y. Bonds, III  
State Bar I.D. No. 02589100  
Clay M. Taylor  
State Bar I.D. No. 24033261  
Bryan C. Assink  
State Bar I.D. No. 24089009  
BONDS ELLIS EPPICH SCHAFFER JONES LLP  
420 Throckmorton Street, Suite 1000  
Fort Worth, Texas 76102  
(817) 405-6900 telephone  
(817) 405-6902 facsimile  
Email: john@bondsellis.com  
Email: clay.taylor@bondsellis.com  
Email: bryan.assink@bondsellis.com

-and-

Deborah Deitsch-Perez  
State Bar No. 24036072  
Michael P. Aigen  
State Bar No. 24012196  
STINSON LLP  
3102 Oak Lawn Avenue, Suite 777  
Dallas, Texas 75219  
(214) 560-2201 telephone  
(214) 560-2203 facsimile  
Email: deborah.deitschperez@stinson.com  
Email: michael.aigen@stinson.com

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on May 7, 2021, a true and correct copy of the foregoing document was served via email on counsel for the Debtor.

/s/ Michael P. Aigen  
Michael P. Aigen

## **OBJECTIONS AND RESPONSES<sup>1</sup>**

**REQUEST FOR PRODUCTION NO. 1:** All Documents and Communications Concerning the “conditions subsequent” referred to in paragraph 40 of the Amended Answer.

### **RESPONSE:**

Subject to any restrictions imposed by the Debtor and/or the Bankruptcy Court impeding the collection of responsive documents, Dondero will produce all responsive documents, if any, at a mutually agreeable place and time.

**REQUEST FOR PRODUCTION NO. 2:** All Documents and Communications Concerning the “mutual obligation owed to James Dondero by the Debtor under state and/or federal law,” as alleged in paragraph 41 of the Amended Complaint, including (a) all Documents Concerning the alleged mutual obligation, and (b) all demands made by James Dondero to the Debtor for payment of the alleged mutual obligation.

### **RESPONSE:**

Subject to any restrictions imposed by the Debtor and/or the Bankruptcy Court impeding the collection of responsive documents, Dondero will produce all responsive documents, if any, at a mutually agreeable place and time.

**REQUEST FOR PRODUCTION NO. 3:** All proofs of claim filed by James Dondero in the Bankruptcy Case Concerning the alleged mutual obligation referred to in paragraph 41 of the Amended Complaint.

### **RESPONSE:**

Dondero is not aware of any responsive documents.

**REQUEST FOR PRODUCTION NO. 4:** All Documents and Communications Concerning the “debt” allegedly owed by the Debtor to James Dondero, as alleged in paragraph 41 of the Amended Complaint, including (a) all Documents Concerning the alleged debt, and (b) all demands made by James Dondero to the Debtor for payment of the alleged debt.

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<sup>1</sup> Defendant makes these responses subject in all respects to his Motion for Withdrawal of the Reference [Adv. Dkt. No. 21] and the Motion to Stay Pending the Motion to Withdraw the Reference of Plaintiff's Complaint [Adv. Dkt. No. 22] filed on April 15, 2021. For the reasons stated in the motions, Defendant believes that the reference should be withdrawn and this proceeding stayed while the motion to withdraw the reference is considered. Defendant does not waive, but instead hereby preserves, his right to a jury trial and all rights and requests for relief asserted in the motions. Defendant does not consent to the Bankruptcy Court determining this proceeding or entering final orders or judgments in this proceeding. Defendant requests that the reference be withdrawn and that the District Court adjudicate this proceeding.

**RESPONSE:**

Subject to any restrictions imposed by the Debtor and/or the Bankruptcy Court impeding the collection of responsive documents, Dondero will produce all responsive documents, if any, at a mutually agreeable place and time.

**REQUEST FOR PRODUCTION NO. 5:** All proofs of claim filed by James Dondero in the Bankruptcy Case Concerning the alleged debt referred to in paragraph 41 of the Amended Complaint.

**RESPONSE:**

Dondero is not aware of any responsive documents. In any event, Debtor has possession custody and control over all filed proofs of claim.

**REQUEST FOR PRODUCTION NO. 6:** All Documents and Communications Concerning James Dondero's affirmative defense that "each note is ambiguous," as alleged in paragraph 45 of the Amended Complaint.

**RESPONSE:**

Subject to any restrictions imposed by the Debtor and/or the Bankruptcy Court impeding the collection of responsive documents, Dondero will produce all responsive documents, if any, at a mutually agreeable place and time.